

**UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

GARY A. ZIERKE,	:	CIVIL ACTION NO. 3:CV-15-0264
	:	
Plaintiff	:	(Judge Nealon)
	:	
v.	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendants	:	

ORDER

AND NOW, THIS 7th DAY OF MARCH, 2016, for the reasons set forth
in the Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion to dismiss or, in the alternative for summary judgment (Doc. 12) is **GRANTED**. Judgment is hereby entered in favor of the Defendant and against the Plaintiff.
2. The Clerk of Court shall **CLOSE** this case.
3. Any appeal from this order will be deemed frivolous, not taken in good faith and lacking probable cause.

/s/ William J. Nealon
United States District Judge